



Fair Shake

Environmental Legal Services

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A new climate of fairness.

June 19, 2017

Filed electronically

Freedom of Information Officer
US EPA Region 5 (MI-9J)
77 West Jackson Blvd.
Chicago, IL 60604-3590

RE: Freedom of Information Act Request

Dear Freedom of Information Officer:

This is a request under the Freedom of Information Act regarding **Heritage Thermal Services, Inc.** On behalf of Save Our County, Inc., I am requesting a follow up copy of all records described below related to Heritage Thermal Services, Inc. ("the facility's") air emissions and its Title V Air Pollution Control Permit, state Permit No. P0108372, and the Finding of Violation ("FOV"), No. EPA-5-15-OH-12 that are **dated between May 1, 2015, and the date of this request.** Based on the information that was already provided to me, I am requesting the following records within the aforementioned date range:


- Compliance records and reports within EPA's possession pursuant to the Title V permit, No. P0108372, include records related to the FOV EPA-5-15-OH-12, between May 1, 2015 and the date of this request.
- Reports or records of all emissions tests and/or inspections conducted by the EPA at the HTS facility related to the FOV.
- Enforcement orders implemented by the EPA or the Ohio EPA since the previous FOVEPA-5-15-OH-12.
- Records documenting daily, monthly and annual emission logs at the facility for total hydrocarbon emissions,
- Reports and calculations of any and all occurrences of violations at the facility since May 1, 2015.
- Notices of Violations or Findings of Violations since May 1, 2015.
- Inspection reports.
- Consent Decrees or drafts of consent decrees.
- In addition, please provide all emails, communications, or records of communications between the EPA and HTS or the EPA and Ohio EPA regarding their Title V permit, the FOV and/or the facility's air emissions between May 1, 2015 and the date of this request

I would like to receive copies of the records requested above in electronic format via electronic mail to the following email address: jyskamp@fairshake-els.org or on disk mailed to the Akron address listed below. If any of the above records are unavailable in electronic format, please send copies on paper and send the double-sided paper copies to James Yskamp, Fair Shake Environmental Legal Services, 159 S. Main Street, Suite 1030, Akron, Ohio 44308.

Moreover, I respectfully request a waiver of all fees for this request. For the purposes of determining whether fees may be waived, please note that Fair Shake Environmental Legal Services is a non-profit law firm committed to serving modest means clients in the Appalachian Basin. In addition to representing clients directly, Fair Shake Environmental Legal Services engages in community presentations, maintains a website, and has a social media presence to inform the public of their rights in environmental matters and opportunities to participate in environmental decision-making. The information received will also be distributed to Save Our County, Inc., a nonprofit organization that represents the health and wellbeing of citizens in the East Liverpool community. The production of said records is also likely to significantly contribute to the public welfare, especially the health and wellbeing of the community surrounding Heritage Thermal Services. In addition, furnishing the information will significantly assist the community in understanding their legal rights, and, how the hazardous facility is regulated. Save Our County has qualified for this fee waiver before, and they respectfully request the fee waiver for this request. In the instance a fee waiver is not granted, I am willing to pay fees for this request up to a maximum of \$100. If you estimate fees will exceed this limit, please inform me first.

Thank you for your consideration of this request.

Respectfully Submitted,



James Yskamp, Esq.
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(234) 571-1972

Counsel for Save Our County, Inc.